

AO 440 (Rev 1/90) Summons in a Civil Action

United States District Court

SOUTHERN

NEW YORK

DISTRICT OF

MASON TENDERS DISTRICT COUNCIL
WELFARE FUND, et al.,

Plaintiffs,

SUMMONS IN A CIVIL ACTION

V.

CASE NUMBER: 07,CV

HORIZON GROUP OF NEW ENGLAND, INC.
and TRAVELERS CASUALTY AND SURETY COMPANY
OF AMERICA,

Defendants.

07 CIV 3770

JUDGE SAND

TO: (Name and Address of Defendant)

HORIZON GROUP OF NEW ENGLAND, INC.
122 OLD KARNER ROAD
ALBANY, NEW YORK 12205

TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA
1500 MARKET STREET, SUITE 2900
PHILADELPHIA, PENNSYLVANIA 19102

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and serve upon

PLAINTIFF'S ATTORNEY (name and address)

GORLICK, KRAVITZ & LISTHAUS, P.C.
17 STATE STREET, 4TH FLOOR
NEW YORK, NEW YORK 10004

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an answer to the complaint which is herewith served upon you, within _____ days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

J. MICHAEL McMAHON

MAY 14 2007

CLERK

DATE

Mano Quintero

BY DEPUTY CLERK



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
MASON TENDERS DISTRICT COUNCIL
WELFARE FUND, et al.,

Plaintiff,

-against-

AFFIDAVIT OF SERVICE
07 CV 3770

HORIZON GROUP OF NEW ENGLAND, INC.
AND TRAVELERS CASUALTY AND SURETY
COMPANY OF NEW YORK,

Defendant.

-----X
STATE OF NEW YORK)
S.S.:
COUNTY OF ALBANY)

DEBORAH LaPOINTE, being duly sworn, deposes and says that she is over the age of
eighteen years, is employed by the attorney service, D.L.S., INC., and is not a party to this action.

That on the 22ND day of May, 2007, at approximately the time of 12:30P.M., at the office
of the Secretary of State, of the State of New York in the City of Albany, New York, deponent served the
SUMMONS AND COMPLAINT AND JUDGES' RULES upon HORIZON GROUP OF NEW
ENGLAND, INC., the defendant in this action, by delivering to and leaving with DONNA CHRISTIE an
agent of the Secretary of State, of the State of New York, two true copies thereof and at that time of
making such service deponent paid said Secretary of State a fee of forty dollars. That said service was
made pursuant to Section, 306 Business Corporation Law.

Deponent further says that she knew the person so served as aforesaid to be the individual
in the Office of the Secretary of State of New York, duly authorized to accept such service on behalf of
said defendant.

DONNA CHRISTIE is a white female, approximately 45 years of age, stands
approximately 5 feet 4 inches tall, weighs approximately 135 pounds with blonde hair and blue eyes.

Deborah LaPointe
DEBORAH LaPOINTE
Sworn to before me this
22ND day of May, 2007

NOTARY PUBLIC

Frank J. Panucci
Notary Public-State of NY
Qualified in Albany Co.
No. 4721156
Comm. Expires July 31, 2010